

BOARD OF COUNTY COMMISSIONERS
Agenda Item Summary

TIME CERTAIN 5:01 PM

Meeting Date December 17, 2003 **Division** **County Attorney**

AGENDA ITEM WORDING

Public hearing of a resolution electing to use the uniform method of collecting non-ad valorem special assessments levied within the unincorporated area of the County encompassing the area of South Stock Island served or to be served by KW Resort Utilities.

ITEM BACKGROUND

PREVIOUS RELEVANT BOCC ACTION

CONTRACT/AGREEMENT CHANGES

STAFF RECOMMENDATIONS

Approval.

| | | | |
|------------|----------|-----|----|
| TOTAL COST | BUDGETED | Yes | No |
|------------|----------|-----|----|

| | |
|----------------|-----------------|
| COST TO COUNTY | SOURCE OF FUNDS |
|----------------|-----------------|

APPROVED BY: County Attorney ☒ OMB/Purchasing ☐ Risk Management ☐

DIVISION DIRECTOR APPROVAL


JOHN R. COLLINS

DOCUMENTATION: Included ☐ To Follow ☐ Not Required ☐

AGENDA ITEM # _____

TI

RESOLUTION NO. -2003

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE UNINCORPORATED AREA OF THE COUNTY ENCOMPASSING THE AREA OF SOUTH STOCK ISLAND SERVED OR TO BE SERVED BY KW RESORT UTILITIES; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Monroe County, Florida (the "County") is contemplating the imposition of special assessments for the provision of certain wastewater capital improvements and connections commencing in the Fiscal Year beginning on October 1, 2004; and

WHEREAS, the County intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing certain wastewater improvements and connections to property within the unincorporated area of the County encompassing the area of South Stock Island served or to be served by KW Resort Utilities as authorized by sec. 197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2004, in the same manner as provided for ad valorem taxes; and

WHEREAS, the County held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A; now, therefore

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. Commencing with the Fiscal Year beginning on October 1, 2004, and with the tax statement mailed for such Fiscal Year and continuing each year until discontinued by the County, the County intends to use the uniform method of collecting non-ad valorem assessments authorized by Sec. 197.3632, Fla. Stat., as amended, for collecting non-ad valorem assessments for the cost of providing certain wastewater improvements and connections. Such non-ad valorem assessments shall be levied within the unincorporated area of the County served or to be served by the KW Resort Utilities in South Stock Island. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

Section 2. The County hereby determines that the levy of the assessments is needed to fund the cost of the wastewater improvements and connections within the unincorporated area of the County served or to be served by the KW Resort Utilities in South Stock Island.

Section 3. Upon adoption, the County Clerk is directed to send certified copies of this Resolution by January 10, 2004, to:

- a) The Property Appraiser
- b) The Tax Collector
- c) The Florida Department of Revenue

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 17th day of December, 2003.

Mayor Nelson
Mayor Pro Tem Rice
Commissioner McCoy
Commissioner Neugent
Commissioner Spehar

(SEAL)

Attest: DANNY L.KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Deputy Clerk

By _____
Mayor/Chairperson

JTDResSSI

EXHIBIT A

PROOF OF PUBLICATION

[PLEASE INSERT PROOF OF PUBLICATION]

NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS

The Board of County Commissioners of Monroe County, Florida (the "County") hereby provides notice, pursuant to section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments for the cost of providing certain wastewater capital improvements and connections to be levied within the unincorporated area of the County encompassing the area of South Stock Island now served or to be served by KW Resort Utilities commencing for the Fiscal Year beginning on October 1, 2004, and continuing each year until discontinued by the County. The County will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 5:01 PM on December 17, 2003, at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are available for review at the various public libraries in Monroe County, Florida. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the County with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Administrator at 805/292-4441, 7 days prior to the date of the hearing.

DATED this 12th day of November, 2003.

DANNY L. KOLHAGE, Clerk of the Circuit Court and ex officio Clerk of the Board of County Commissioners of Monroe County, Florida
November 16, 2003

11/16/03 10:12:22 AM

EXHIBIT B

**MONROE COUNTY, FLORIDA
SOUTH STOCK ISLAND SERVICE AREA
MORE PARTICULARLY DESCRIBED
AS**

**[PLEASE INSERT LEGAL DESCRIPTION OF THE SOUTH STOCK ISLAND SERVICE
AREA]**

